Group Art Unit:



In Re the Application of:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DRAKE et al.) Examiner:			
Serial No.: 10/625,916) <u>THIRD SUPPLEMENTAL</u>) <u>INFORMATION DISCLOSURE STATEMENT</u>			
Filed: July 23, 2003)			
Atty. File No.: 4471-1-DIV-CON) "EXPRESS MAIL" MAILING LABEL NUMBER: EL 975239536US) DATE OF DEPOSIT: 12/22/03			
For: "METHOD AND SYSTEM FOR MINING HYDROCARBON- CONTAINING MATERIALS"	HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.			
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	TYPED OR PRINTED NAME: Afry S. Duarte , SIGNATURE: Afry S. Duarte ,			
·				
Sir:				
The references cited on attached Form P	TO-1449 are being called to the attention of the Examiner.			
Copies of the cited references:				
☐ Are enclosed herewith.	· ·			
Are not enclosed, in accordance	with 37 C.F.R. 1.98(d), because the references were			
submitted to the U.S. Patent and Trademark Office	ce in prior application Serial No filed			
, which is relied upon for an earli	er filing date under 35 U.S.C. § 120.			
<u> </u>	, the pertinence of the foreign-language references are			
••	h abstracts and in the figures, although applicants do not			
necessarily vouch for the accuracy of the translat				
	Examiner's attention is drawn to the following co-pending application:			
	Serial No. 10/339,940 filed January 9, 2003 (U.S. Publication No. 2003-0160500-A1)			
Other: Attached hereto is a cor	Other: Attached hereto is a copy of an Australian Office Action for Australian Patent			
Application No. 2001247301 (atty. no. 4471-1-PAU), the Australian counterpart of the parent.				
Submission of the abo,ve information is	not intended as an admission that any item is citable under the			
statutes or rules to support a rejection that any it	em disclosed represents analogous art, or that those skilled in			

Submission of the abo, we information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no

better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

\boxtimes	37 CFR 1.97(b): No	fee is believed due in connection with this submission, because the information disclosure statement					
	submitted herewith is	satisfies one of the following conditions ("X" indicates satisfaction):					
		Within three months of the filing date of a national application other than a continued prosecution					
		application under 37 CFR 1.53(d), or					
,		Within three months of the date of entry into the national stage of an international application as set					
		forth in 37 CFR 1.491 or					
	\boxtimes	Before the mailing date of a first Office Action on the merits, or					
		Before the mailing of a first Office action after the filing of a request for continued examination under					
		37 CFR 1.114.					
	Although no fee is be	lieved due, if any fee is deemed due in connection with this submission, please charge such fee to					
	Deposit Account 19-	1970.					
	37 CFR 1.97(c): Th	e information disclosure statement transmitted herewith is being filed after all the above conditions (37					
	CFR 1.97(b)), but b	efore the mailing date of one of the following conditions:					
		(1) a final action under 37 C.F.R. 1.113 or					
((2) a notice of allowance under 37 C.F.R. 1.311, or					
	(3) an action that otherwise closes prosecution in the application.						
	This Information Disclosure Statement is accompanied by:						
	A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is						
	deemed due in conne	ction with this submission, please charge such fee to Deposit Account 19-1970.					
		OR					
	☐ Ac	heck in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an					
	information disclosur	re statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-					
	1970.						
	37 CFR 1.97(d): Th	is Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).					
	☐ This	information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)					
		AND					
	☐ App	licants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the					
	amount of \$180.00 t	under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit					
	Account No. 19-197	0. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a					
	certification.						

Certification (37 C.F.R. 1.97(e)) (Applicable only if checked)

(Applicable only if checked)
The undersigned certifies that:
Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1). A copy of the communication from the foreign patent office is enclosed.
OR
No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

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(303) 863-9700

Date: \\



SHEET	1	OF	1

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)

ATTY. DOCKET NO. 4471-1-DIV-CON	SERIAL NO. 10/625,916
APPLICANT DRAKE et al.	
FILING DATE July 23, 2003	GROUP ART

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	AA	2003-0160500 A1	08/28/03	Drake et al.		<u></u>	01/09/03

FOREIGN PATENT DOCUMENTS

					CI ID	TRANSLATION	
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS CLASS		YES	NO
АВ	WO 01/69042 A1	09/20/01	PCT	E21D	11/10		

OTHER	ART (Including a	Author	Title	Date	Pertinent	Pages e	tc)
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EXAMINER	DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.